S.B.Cr.Misc. III Bail App. No.5604/2007
(Hemant Kumar @ Hamendra Vs. State)

Date of order : 15.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Pradeep Shah for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

This is third bail application. While dismissing the earlier bail application by order dated 17.07.2007, the petitioner was granted liberty to move a fresh bail application after statement of the prosecutrix is recorded.

The trial court has recorded the statement of the prosecutrix PW7. I have carefully gone through the statement of the prosecutrix (PW7), she did not support the prosecution case and turned hostile.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Hemant Kumar @ Hamendra s/o Om Prakash be released on bail in FIR No.104/2006 P.S. Falna,

District Pali, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

vij